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**FACSIMILE TRANSMISSION**

September 7, 2005

TO : U.S. Patent and Trademark Office

ATTN: Examiner B. Vuong (Group Art Unit 2653)

FAX NO.: 571-273-8300

TELEPHONE:

FROM: John C. Garvey/SCK

RE: Response for U.S Application No. 09/809,107 filed in response to Office  
Action Issued on July 7, 2005. **DUE DATE IS October 7, 2005 (NO FEE IS  
DUE)**

OUR DOCKET: 1317.1071

NO. OF PAGES (Including this Cover Sheet) 13

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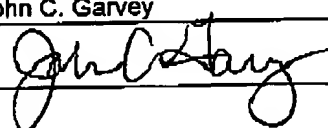
on 9/7, 2005

STAAS & HALSEY

By: Rebecca Song

Date 9/7/05

S&amp;H Form: (02/05)

<b>REPLY/AMENDMENT FEE TRANSMITTAL</b>		Attorney Docket No.	1317.1071		
		Application Number	09/809,107		
		Filing Date	March 16, 2001		
		First Named Inventor	Tohru YOSHIDA		
		Group Art Unit	2653		
AMOUNT ENCLOSED	0.00	Examiner Name	B. Vuong		
<b>FEE CALCULATION (fees effective 12/08/04)</b>					
CLAIMS AS AMENDED	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra	Rate	Calculations
TOTAL CLAIMS	23	- 23 =	0	X \$ 50.00 =	\$ 0.00
INDEPENDENT CLAIMS	6	- 6 =	0	X \$ 200.00 =	0.00
Since an Official Action set an original due date of <u>October 7, 2005</u> , petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$120)); (2 months (\$450)); (3 months (\$1,020)); (4 months (\$1,590)); (5 months (\$2,160));					
If Notice of Appeal is enclosed, add (\$500.00)					
If Statutory Disclaimer under Rule 20(d) is enclosed, add fee (\$130.00)					
Information Disclosure Statement (Rule 1.17(p)) (\$180.00)					
Total of above Calculations =					\$ 0.00
Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28)					
<b>TOTAL FEES DUE =</b>					\$ 0.00
(1) If entry (1) is less than entry (2), entry (3) is "0".					
(2) If entry (2) is less than 20, change entry (2) to "20".					
(4) If entry (4) is less than entry (5), entry (6) is "0".					
(5) If entry (5) is less than 3, change entry (6) to "3".					
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<input type="checkbox"/> Charge "TOTAL FEES DUE" to the Deposit Account No. below.					
<input checked="" type="checkbox"/> No payment is enclosed.					
<b>GENERAL AUTHORIZATION</b>					
<input checked="" type="checkbox"/> If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:					
Deposit Account No.		19-3935			
Deposit Account Name		STAAS & HALSEY LLP			
<input checked="" type="checkbox"/> The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CPAs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application.					
SUBMITTED BY: STAAS & HALSEY LLP					
Typed Name	John C. Garvey		CERTIFICATE OF FACSIMILE TRANSMISSION	Fee No.	28,607
Signature			I hereby certify that this correspondence is being transmitted via facsimile to: Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450 on <u>9/7</u> 20 <u>05</u> Staas & Halsey LLP By: <u>Rebecca S. H</u> Date <u>9/7/05</u>		9-7-05

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RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 2653  
Docket No.: 1317.1071

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Tohru YOSHIDA

Serial No. 09/809,107

Group Art Unit: 2653

Confirmation No. 8941

Filed: March 16, 2001

Examiner: B. Vuong

For: DEVICE THAT RECORDS ON AN OPTICAL DISC AND METHOD THEREOF

AMENDMENT AFTER FINAL REJECTION

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Attention: BOX AF

Sir:

This is in response to the Office Action mailed July 7, 2005, and having a period for response set to expire on October 7, 2005. Applicants request entry of this Rule 116 Response because the amendments were not earlier presented because the Applicant believed in good faith that the cited prior art did not disclose the present invention as previously claimed.

The following amendments and remarks are respectfully submitted. Reconsideration of the claims is respectfully requested.